

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

WARD, Chairman.

TWENTY-NINTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, February 19, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

Prayer by Rev. Dr. Owers.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Excused.

Senator Parnell was excused for an indefinite time on account of important business on motion of Senator Bledsoe.

Petitions and Memorials.

Senator Moore of Cooke presented a numerous signed petition by Cooke County citizens opposing the proposed tax on cigars and cigarettes.

Senator Holbrook presented telegram and letters from Brazoria and Angleton protesting the criticism of Col. Jake Herring, Dr. Mosley and others of the prison system, stating that they felt that the criticism was unjust, etc.

Bills and Resolutions.

By Senator Pollard:

S. B. No. 343, A bill to be entitled "An Act to amend Chapter 167, General Laws of the Thirty-sixth Legislature, Regular Session, the same being an Act creating a State Board of Control, providing the methods of appointment of its members and prescribing its duties and authority, by adding to the said Act Section 9a thereof, prescribing certain qualifications for the Superintendent of the Deaf and Dumb Asylum

Read first time and referred to Committee on State Affairs.

By Senator Bowers:

S. B. No. 344, A bill to be entitled "An Act creating the Franklin Independent School District in Robertson County, Texas, validating all levies of taxes and contracts made in behalf of the existing Franklin Independent School District; continuing in office the board of trustees of said independent district; providing for the maximum rate of taxation for the issuance of bonds and the maintenance of the public free schools, repealing all laws in conflict with the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Price and Moore of Hunt:

S. B. No. 345, A bill to be entitled "An Act to amend Article 2914 of the Revised Statutes of Texas of 1911, relating to dividing cities and towns into electing precincts by the commissioners' court, so as to provide that it shall be the duty of commissioners' courts to re-establish and reorganize the election precincts in incorporated cities, towns and villages so that no such precinct shall have resident therein more than four hundred voters as shown by the vote cast at the last preceding general city election, and providing for additional subdivision of such precincts when the numbers of voters therein exceed four hundred; providing when an election precinct shall not be made out of parts of two or more words; providing a method for enforcing the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Towns and city Corporations.

By Senator Davis:

S. B. No. 346, A bill to be entitled "An Act to amend Article 637, Revised Civil Statutes of Texas, 1911, with reference to authorizing the incorporation of road districts and authorizing the same to sue and be sued, and authorizing the levying a tax for the payment of judgments, if cast in suit."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Triplett:

S. B. No. 347, A bill to be entitled "An Act to establish a more efficient system of public roads for Orange County, and to empower the commissioners' court thereof to provide rules and regulations therefor; to provide for the condemnation of private property for road purposes; and to provide for the appointment of a county engineer; to allow the issuance of bonds for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Fairchild:

S. B. No. 348, A bill to be entitled "An Act requiring official shorthand reporters of any district court of this State on request of the appellant in any case appealed, to any Court of Civil Appeals of this State, to prepare from his stenographic notes a statement of the facts in such cause in duplicate and narrative form and deliver the same to the appellant or his attorney of record; and providing that where appellant has exercised diligence to procure from the official shorthand reporter a statement of facts in duplicate and narrative form and said official shorthand reporter failed to deliver such statement of facts in time for appellant to take the necessary steps to procure and file in the Court of Civil Appeals a statement of facts within the time prescribed by law, that he may file the transcript and the Court of Civil Appeals shall grant appellant such further time as it may deem necessary to file such statement of facts; and further providing that when the Court of Civil Appeals grants appellant further time to prepare and file his statement of facts they

shall also grant further time to appellant in which to file his brief, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

House Bill No. 14.

The Chair laid before the Senate, on third reading,

H. B. No. 14, A bill to be entitled "An Act to define and prohibit bucket shops and dealings therein; to regulate contracts for future delivery of cotton, etc.; to declare under what conditions such contracts shall be valid; to prescribe penalties for the violation of this Act; and to repeal Articles 536 and 537 of Chapter 2, Title 11, and all of Chapter 3, of Title 11, of the Revised Penal Code of the State of Texas."

The bill was read third time and passed finally.

House Bill No. 147.

The Chair laid before the Senate, on third reading,

H. B. No. 147, A bill to be entitled "An Act to amend Article 3883, Revised Civil Statutes of Texas, fixing fees allowed officers in counties having a population of 37,000 inhabitants, or containing cities of 25,000, and declaring an emergency."

The bill was read third time and passed finally.

House Bill No. 107.

The Chair laid before the Senate, on third reading,

H. B. No. 107, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Second Called session of the Thirty-sixth Legislature, fixing a maximum portion of the thirty-five cent ad valorem school tax to be used for purchase and distribution of free text books, and declaring an emergency."

The bill was read third time and passed finally.

House Bill No. 52.

The Chair laid before the Senate, on second reading,

H. B. No. 52, A bill to be entitled "An Act to amend Article 788, of the Code of Criminal Procedure, by repealing Subdivision 3 thereof."

The bill was read second time and failed to pass to a third reading, by the following vote:

Yeas—11.

Davis.	Murphy.
Fairchild.	Pollard.
Floyd.	Price.
Hardin of Kaufman	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	

Nays—12.

Bailey.	Real.
Berkeley.	Reid.
Bledsoe.	Russek.
Hardin of Erath.	Stuart.
Holbrook.	Wood.
Parr.	Woodward.

Present—Not Voting.

Strong.

Absent.

Bowers.	Triplett.
Miller.	Witt.
Smith.	

Absent—Excused.

Lewis.	Parnell.
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House Bill No. 79.

The Chair laid before the Senate, on third reading,

H. B. No. 79, A bill to be entitled "An Act amending Article 5693, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123 of the General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature, relating to notes secured by certain deeds of trust or mortgages on land, and when the same shall be barred by limitation, and providing that powers of sale under deeds of trust or mortgages shall not be executed after the notes secured thereby are barred by limitation, and amending Article 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123, General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature and as amended by Chapter 27, General Laws of Texas, passed at the First Called Session of the Thirty-third Legislature, relating to the renewal and extension of liens that are secured by deeds of trust, mortgages, or vendor's liens on real estate, and providing that thereafter said articles shall read as herein, and declaring an emergency."

The bill was read third time and Senator Ward offered the following amendment, which was unanimously adopted:

Amend H. B. No. 79, page 3, line 21, by striking out the word "Record" in line 21.

The bill was passed finally.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 19, 1925.

Hon Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 301, A bill to be entitled "An Act creating the Goldthwaite Independent School District in Mills County, Texas; defining its boundaries, including the present Goldthwaite Independent School District; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, or any other law or laws that may be hereafter enacted governing independent school districts created or incorporated for free school purposes only under the General Laws of this State; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the title to all school property within the boundaries herein defined shall be and is vested in the Goldthwaite Independent School District as herein created; providing that this Act shall not affect local maintenance or bond taxes; repealing conflicting laws, and declaring an emergency."

H. B. No. 324, A bill to be entitled "An Act amending Chapter 16 of the Local and Special Laws of the Thirty-sixth Legislature, being an Act passed at the Regular Session thereof and approved on the nineteenth day of February, 1919, and incorporating the Saratoga Independent School District and defining its boundaries; divesting the county of Hardin of the control of schools in Common School District No. 17, and fixing the same in the board of trustees of Saratoga Independent School District; and providing for the assumption by the said Saratoga Independent School District of all debts, bonds and other obligations of Common School District No. 17 of Hardin County, Texas, and other common school districts whose boundaries are affected by this Act,

and providing for the election of board of trustees and defining the powers given said independent school districts through its said board of trustees; providing for the filling of vacancies in such board, giving same said board the power to manage and control, maintain and operate the public free school district; to continue as such trustees under this Act; making said school districts a body politic with right to sue and be sued, contract and be contracted with; providing for the election and qualification of trustees for said districts; providing for the appointment of a tax collector and tax assessor; providing for the appointment of a board of equalization by the board; defining the powers of the board of trustees to contract with the superintendent, principal and teachers of said school district; repeal all laws and parts of laws in conflict with this act, and declaring an emergency."

H. B. No. 371, A bill to be entitled "An Act creating and incorporating the Eliasville Independent County Line School District lying in the counties of Young and Stephens in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent district under the control of the general laws governing independent districts; providing that no outstanding indebtedness of the Eliasville County Line District be invalidated, and declaring an emergency."

H. B. No. 380, A bill to be entitled "An Act creating the Paradise Independent School District in Wise County, Texas; defining its metes and bounds; vesting with it the rights, powers and duties of districts incorporated for school purposes only under the General Laws of the State of Texas; providing for the assumption of the outstanding bonds of the Paradise Common School District, and declaring an emergency."

H. B. No. 394, A bill to be entitled "An Act to amend Article 1399 of the Revised Statutes of Texas, by providing that the assessor of taxes and collector of taxes in counties having within their boundaries a city or cities, other than the county seat, having a population of 20,000 or more, may maintain a branch office in said city or cities with one or more deputies, and providing for the payment of expenses for maintaining said office."

H. B. No. 413, A bill to be entitled "An Act to establish and redefine and rename Common Consolidated District No. 1, of Hardeman County, Texas, to validate all elections heretofore held in said district for local taxes and maintenance of schools in said district; to validate and assume the payment of all bonds outstanding against said district and providing that all taxes and bonds heretofore authorized by said Common Consolidated District No. 1 shall remain in full force and effect that this district as redefined and established shall be known as the Bailey High Common Consolidated District No. 1, of said Hardeman County, Texas; providing that said district shall be liable for its pro rata part of any outstanding bonded indebtedness upon a part of any territory taken from the other school district; providing that said Bailey High Common Consolidated School District No. 1, in Hardeman County, Texas, shall be under the General Laws of the State of Texas, with respect to common consolidated districts when not in conflict with this Act, and declaring an emergency."

H. B. No. 415, A bill to be entitled "An Act creating and incorporating Goodlett Independent School District in Hardeman County, Texas, defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that the Goodlett Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Common School District No. 32 in Hardeman County, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 32; providing that the title to all property now vested in Common School District No. 32 shall on the passage of this Act vest in Goodlett Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for the collection of delinquent taxes; providing for taking scholastic census; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the General Laws of

Texas relating to independent school districts in matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this Act shall not invalidate any remaining portion or provision hereof, and declaring an emergency."

Has postponed indefinitely.

S. B. No. 29, A bill to be entitled "An Act to permit applicants for writ of habeas corpus in criminal cases, when the relief prayer for is denied by the judge of the court to whom the application is made and who prosecutes an appeal from the order of said judge or court to the Court of Criminal Appeals to be released on bail pending the appeal in all save capital cases, the amount of bail to be fixed by the judge trying the case and the order entered upon the minutes of the court, the bail bond to be executed and approved, under the same provisions of law which govern the bail on appeal in criminal cases after verdict of conviction as provided for by the existing law, and declaring an emergency."

S. B. No. 38, A bill to be entitled "An Act amending Article 6959a of the Penal Code of the State of Texas, relating to the pollution of water courses and other bodies of water, and declaring an emergency."

With amendments.

H. B. No. 26, A bill to be entitled "An Act determining and fixing the annual salary of the county superintendent of public instruction of Jefferson County, Texas; providing for the payment of said salaries; providing for the payment of office and traveling expenses, and declaring an emergency."

H. B. No. 32, A bill to be entitled "An Act making an appropriation to pay the mileage and per diem of the President Electors of Texas for the year 1925, and declaring an emergency."

H. B. No. 267, A bill to be entitled "An Act creating and incorporating the Draw Independent School District in Lynn County, Texas, out of territory now comprising the Draw Common School District No. 8, in Lynn County, Texas; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for an assessor and collector of taxes and a board of

equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Draw Common School District No. 8 and the assumption of all such obligations and indebtedness by the Draw Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title to all property in said district be divested out of the Draw Common School District No. 8 and vested in Draw Independent School District as created by this Act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the General Laws of Texas in all matters where this Act is silent; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 271, A bill to be entitled "An Act creating a more efficient road system for Bastrop County, Texas; providing for the establishment of office of superintendent of public roads and bridges in said county; providing the manner of appointing such superintendent, prescribing his qualifications, term of office, salary and powers and duties with reference to the public roads and bridges, making the members of the commissioners' court ex-officio road commissioners in their respective precincts, and fixing their salary; prescribing the powers and duties of the commissioners' court with reference to roads of overseers and persons liable to road duty in said county, and fixing the county judges' and commissioners' salary for serving as member of the commissioners' court; providing for working county convicts on the public roads and bridges, and giving the commissioners' court power to make rules and regulations therefor; and providing for the working of delinquent poll tax payers on the roads and bridges of said county; prescribing the manner in which the commissioners' court may condemn land and material of whatsoever kind for road and bridge purposes; and providing that said court may accept donations of land, money, labor, teams, tools and all kinds of necessary property and material for road and bridge purposes; providing for the recovery of damages from any person who knowingly and wilfully destroys, injures, or misplaces any bridge, culvert, drains, sewer, ditch,

signboard, mile post, or tile or anything of like character placed on any road for the benefit of same; giving the commissioners' court power to transfer any surplus fund from one fund of the county to another and making certain exceptions thereto; providing that all fines, penalties and forfeitures collected by reason of any misdemeanor conviction shall be paid into the road and bridge fund of said county; explaining certain words and terms used in this law, and authorizing the commissioners' court to refund all outstanding indebtedness incurred prior to March 1, 1925, for road and bridge purposes; providing that this Act shall be cumulative of all General Laws on the subject of roads and bridges when not in conflict herewith, and repealing all special road laws for Bastrop County, and declaring an emergency."

H. B. No. 430, A bill to be entitled "An Act to amend Section 1 of Chapter 47, of the Local and Special Laws of the Thirtieth Legislature, Regular Session, as amended in Chapter 39, Local and Special Laws of the Thirty-sixth Legislature, Regular Session, and in Chapter 66, Special Laws of the Thirty-seventh Legislature, Regular Session, being entitled 'An Act creating the Eldorado Independent School District in Schleicher County, Texas,' so as to redefine the boundaries of the said district; repealing all laws and parts of laws in direct conflict herewith, and declaring an emergency."

S. B. No. 31, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 25 of the Acts of the Regular Session of the Thirty-sixth Legislature and Chapter 105 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 50 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, and Chapter 32 of the General Laws of the Regular Session of the Thirty-seventh Legislature, Chapter 10 of the General Laws of the First

Called Session of the Thirty-seventh Legislature and Chapter 97 of the Regular Session of the Thirty-eighth Legislature with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Willacy County."

With amendments.

S. B. No. 169, A bill to be entitled "An Act to provide for the organization and government of Water Control and Improvement Districts under and in accordance with the provisions of Section 52 of Article 3 of the constitution, and or, under and in accordance with the provisions of Section 59 of Article 16 of the constitution, providing such districts may have and exercise all the authority and privileges provided by the constitution, providing the manner of organizing and operating, issuing notes and bonds, incurring debts, levying taxes and assessments to pay bonds and debts and interest and charges thereon and operating expenses, and having such debts and bonds approved and validated, including the validation of proceedings of organization and issuance of bonds by such districts and by water improvement and irrigation districts becoming or being converted into such water control and improvement districts; providing such districts may acquire water rights and other property and buy, acquire or construct improvements, reservoirs, dams, canals, levees, drainage ditches, and any and all rights, properties or things incident to the control and improvement of river, streams, creeks, and water courses and supplies, and including all the rights and privileges and functions provided for by the constitution, providing such districts may contribute to or receive contributions from any person, municipal corporations, county, district, water improvement district, irrigation district, levee improvement district or improvement district that such contributions may be made upon a definite percentage or fixed or determined basis and may be made by any such person or organization; providing for the election and the appointment of five directors and the officers and employees of a district and their qualifications and bonds and oaths, and the duties and authority thereof, the manner of incurring debts and issuing notes and

bonds and levying and assessing taxes on all property in a district subject to taxation to pay such debts and operating expenses including organization and incidental expenses; providing for receipt and expenditure of funds, selection of depositories, sale of water, including and excluding lands, and the management and operation and conduct of such districts, the consolidation of districts, joint operation of two or more districts in construction of improvements, and provisions for the government, control and operation thereof; providing that irrigation and water improvement districts may be converted into water control and improvement districts; providing the method of organizing districts in cities and towns; providing this Act shall not in any manner affect or repeal other laws providing other methods of organizing districts nor repeal or affect laws providing for the organization of water improvement districts, levee improvement districts or drainage districts, but that this Act shall apply to and affect only districts organized hereunder or converted into water control and improvement districts under the provisions hereof, and declaring an emergency."

With amendments.

Respectively submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Motion to Print Bills.

Senator Wirtz here, by unanimous consent, offered committee reports from Committee on State Affairs, reporting adversely, H. B. No. 58 and 75, and

Senator Woodward asked to offer a minority Committee report, and

Senator Wirtz made the point of order that Senator Woodward could not offer a minority report for the reason that he was not present at the Committee meeting at which the report was made and that he gave no notice of a minority Committee report.

The Chair did not rule on the point of order, whereupon

Senator Woodward moved that the bills, H. B. No. 58 and 75, be printed.

S. B. No. 31—House Amendments Concurred in.

Senator Parr called up S. B. No. 31, with House amendments, and

moved that the Senate concur in the House amendments.

The amendments were read and the motion to concur was adopted.

S. B. No. 38—House Amendments Concurred in.

Senator Triplett called up S. B. No. 38, with House amendments, and moved that the Senate concur in the House amendments.

The amendments were read and the motion to concur in the amendments was adopted.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 19, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 6, A bill to be entitled "An Act making unlawful the making or use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property, or credit, or the making, acceptance, discount, sale, or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a felony and prescribing punishment therefor."

With amendments.

H. B. No. 372, A bill to be entitled "An Act relating to conservation and reclamation districts, under and by virtue of the provision of Section 59, of Article 16 of the State Constitution, known as Levee Improvement Districts, having power and authority to reclaim lands from overflow and from rivers, creeks and streams, by system of levees, drainage and other improvements; prescribing how such districts may be created; defining their rights, powers and privileges, and the manner of their exercise; constituting such districts when created governmental agencies and bodies politic and corporate, and fixing their rights and liabilities as such; providing for the construction, maintenance and protection of works and improvements erected by them;

granting to such districts the power of eminent domain; providing for the assessment, levy and collection of taxes; granting to such districts the power to issue bonds and create indebtedness to raise funds for the objects of their creation."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

S. B. No. 6—Conference Committee on.

Senator Pollard called up S. B. No. 6, with House amendments, and moved that the Senate do not concur in the House amendments and request the appointment of a conference committee.

The motion was adopted, and

The Chair appointed the following as committeemen, on part of the Senate: Senators Pollard, Stuart, Woodward, Witt, Davis.

House Bills on First Reading.

The following House bills were laid before the Senate, read severally first time and referred to appropriate committees:

H. B. No. 301, referred to Committee on Educational Affairs.

H. B. No. 324, referred to Committee on Educational Affairs.

H. B. No. 371, referred to Committee on Educational Affairs.

H. B. No. 380, referred to Committee on Educational Affairs.

H. B. No. 394, referred to Committee on State Affairs.

H. B. No. 413, referred to Committee on Educational Affairs.

H. B. No. 415, referred to Committee on Educational Affairs.

H. B. No. 26, referred to Committee on Educational Affairs.

H. B. No. 32, referred to Committee on Finance.

H. B. No. 267, referred to Committee on Educational Affairs.

H. B. No. 271, referred to Committee on State Highways and Motor Traffic.

H. B. No. 430, referred to Committee on Educational Affairs.

H. B. No. 372, referred to Committee on Mining and Irrigation.

Simple Resolution No. 41.

By Senator Stuart:

Whereas, the officers and directors of the Fort Worth Club, now constructing a new club house in the City of Fort Worth, desire to hang

a copy of the painting "The Surrender of Santa Anna," the original of which hangs in the entrance to the Capitol, and

Whereas, they will soon commission a competent artist to make a copy thereof,

Therefore, be it resolved, That the Senate hereby grants permission to the artist commissioned by them to copy the said painting and to erect scaffolding upon which the artist may perform his duties, and

Be it further resolved, That this work shall be done under such safeguards as prescribed under the direction of the Board of Control.

The resolution was read and adopted.

Recess.

On motion of Senator Wood, the Senate at 12:15 o'clock p. m. recessed until 2:30 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Barry Miller.

S. B. No. 169—House Amendments Concurred in.

Senator Stuart called up S. B. No. 169, with House amendments, and moved that the Senate concur in the House amendments.

The amendments were read, and The motion to concur was adopted.

Motion to Print Bills.

Action recurred on the pending motion, by Senator Woodward, that H. B. Nos. 58 and 75 be printed, which motion was lost by the following vote:

Yeas—12.

Berkeley.	Price.
Bledsoe.	Reid.
Fairchild.	Smith.
Hardin of Erath.	Strong.
Moore of Cooke.	Ward.
Pollard.	Woodward.

Nays—14.

Bowers.	Parr.
Davis.	Real.
Floyd.	Russek.
Hardin of Kaufman.	Triplett.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Murphy.	Wood.

Absent—Excused.
 Lewis.
 (Pairs Recorded.)

Senator Holbrook (present), who would vote nay; with Senator Bailey (absent), who would vote yea.

Senator Stuart (present), who would vote yea; with Senator Parnell (absent), who would vote nay.

Reason for Vote.

I voted aye on printing of S. B. Nos. 58 and 75 in order to have an opportunity to study it, not committing myself on final passage.

SMITH.

House Bill No. 59.

The Chair laid before the Senate, on third reading,

H. B. No. 59, A bill to be entitled "An Act amending Section 1 of Chapter 167, Act of March 30, 1917, and being Article 342 of Title 13, Chapter 1 of the Revised Statutes of Texas, relating to the appointment of an assistant district attorney in certain districts, his qualifications, bond and oath of office, powers and duties, and his tenure of office."

The bill was read third time, and on motion of Senator Smith, laid on the table.

House Bill No. 103.

Senator Ward moved to reconsider the vote by which the Senate refused to pass No. 103 to a third reading, on yesterday.

The motion to reconsider was lost.

Bills Recommended.

Senator Stuart moved to recommit H. B. Nos. 58 and 75 to the Committee on State Affairs.

The motion to recommit was adopted, by the following vote:

Yeas—16.

Bailey.	Murphy.
Berkeley.	Price.
Bledsoe.	Reid.
Fairchild.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Moore of Hunt.	Ward.
Moore of Cooke.	Woodward.

Nays—12.

Bowers.	Holbrook.
Davis.	Miller.
Floyd.	Parr.

Real.
 Russek.
 Triplett.

Wirtz.
 Witt.
 Wood.

Absent.

Pollard.

Absent—Excused.

Lewis.

Parnell.

Simple Resolution No. 42.

By Senator Parr:

Be it Resolved, That the action of the Senate by which the motion attached to the report of the Senate caucus on permanent organization, providing that

"No offices or salaries raised unless submitted to caucus to be called 24 hours before caucus meets."

Be rescinded, in so far as such portion of the report be concerned, and that said rule be abolished.

The resolution was read and adopted by the following vote:

Yeas—18.

Bailey.	Price.
Berkeley.	Real.
Bowers.	Russek.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Wood.
Parr.	Woodward.

Nays—6.

Bledsoe.	Murphy.
Davis.	Reid.
Fairchild.	Strong.

Present—Not Voting.

Floyd

Absent.

Miller.	Smith.
Pollard.	Witt.

Absent—Excused.

Lewis.

Parnell.

House Bill No. 53.

The Chair laid before the Senate, on second reading,

H. B. No. 53, A bill to be entitled "An Act to amend Article 3691 of the Revised Statutes of the State of Texas, by adding that conviction of a felony shall not disqualify a witness from testifying.

The bill was read second time, and Senator Bailey moved that the bill be laid on the table subject to call, which motion was adopted.

House Bill No. 283.

The Chair laid before the Senate, on second reading.

H. B. No. 283, A bill to be entitled "An Act creating and incorporating Coble Independent School District, in Hockley County, Texas, etc."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 283 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

H. B. No. 283 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

House Bill No. 317.

The Chair laid before the Senate, on second reading,

H. B. No. 317, A bill to be entitled "An Act creating and incorporating the Five-mile Independent School District in Dawson County, Texas, out of territory now composing Common School District No. 21 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Five-mile Independent School District shall assume all the obligations and indebtedness of said Common School District No. 21, vesting title to property of said Common School District No. 21 in Five-mile Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 317 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Floyd.	Smith.
Fairchild.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

H. B. No. 317 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

House Bill No. 338.

The Chair laid before the Senate, on second reading,

H. B. No. 338, A bill to be entitled "An Act creating and incorporating the Grandview Independent School District in Dawson County, Texas, out of territory now composing Common School District No. 12 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Grandview Independent School District shall assume all the obligations and indebtedness of said Common School District No. 12, vesting title to property of said Common School District No. 12, in Grandview Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 338 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

H. B. No. 338 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

House Bill No. 351.

The Chair laid before the Senate, on second reading,

H. B. No. 351, A bill to be entitled "An Act to change the territory included in the Sour Lake Independent School District in Hardin County, Texas, etc."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Triplett, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 351 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Pollard.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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H. B. No. 351 was laid before the Senate, read third time, and passed finally by the following vote:

Yeas—27.

Bailey.	Price.
Berkeley.	Pollard.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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House Bill No. 364.

The Chair laid before the Senate, on second reading,

H. B. No. 364, A bill to be entitled "An Act to change the territory including in the Batson Independent School District in Hardin County, and for other purposes."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Triplett. the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 364 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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H. B. No. 364 was laid before the Senate, read second time, and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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H. C. R. No. 11.

The Chair laid before the Senate H. C. R. No. 11, relating to Texas Centennial Exposition.

The resolution was read and adopted.

Free Conference Committee Report on Senate Bill No. 6.

To the President of the Senate of Texas and the Speaker of the House of Representatives of Texas:

We, your Free Conference Committee, appointed by the President of the Senate on the part of the Senate and by the Speaker of the House of Representatives on the part of the House of Representatives in regards

to House amendments on Senate Bill No. 6, have had same under consideration and report back to the Senate and House of Representatives of Texas, that Senate Bill No. 6, be amended so as to hereafter read as follows and that it do pass:

By Pollard.

S. B. No. 6.

**A BILL
To Be Entitled**

An Act making unlawful the making or use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property, or credit, or the making, acceptance, discount, sale, or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a misdemeanor and prescribing punishment therefore.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any person who shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any materially false statement in writing with intent that it shall be relied upon, representing the financial condition, or means, or ability to pay, of himself, or any other person or firm, or corporation, in which he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever either the delivery of personal property, the payment of cash, the making a loan or credit, the extension of a credit, the discount of any account receivable, or the making, acceptance, discount, sale, or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars for the benefit of either himself, or of any such person, firm, or corporation; or

Who, knowing that a false statement in writing has been made respecting the financial condition of means or ability to pay, of himself, or such person, firm or corporation in which he is interested, or for whom he is acting, procure upon the faith thereof, for the benefit of either himself, or of such person,

firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section; or

Who, knowing that a false statement in writing has been made, respecting the financial condition or means, or ability to pay of himself, or the person, firm or corporation, in which he is interested, or for whom he is acting, represents on a later day, in writing that such statements theretofore made, if then again made on said day would be true, when same would be false, and procures upon faith thereof, for the benefit either of himself, or of such person, firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section.

Shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment in the county jail not exceeding six months, or by a fine not exceeding two hundred dollars or by both such fine and imprisonment.

POLLARD,
STUART,
DAVIS,
WITT,
WOODWARD,

On the part of the Senate.

RAWLINS,
POAGE,
McFARLANE,
KEMBLE,
BEDFORD,

On the part of the House.

The report was read and adopted.

House Bill No. 47.

The Chair laid before the Senate, on second reading,

H. B. No. 47, A bill to be entitled "An Act amending Articles 7542 and 7569 of Title 126, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall be valued for taxation purposes; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

The bill had already been read second time at a previous session, and

Senator Wood offered the following amendments, severally, which were read and adopted:

1. Amend H. B. No. 47, as printed, on page 3, line 1, by striking out of said line 1 the following: "It shall be the duty of."

2. Amend H. B. No. 47, as printed, page 3, line 8, by striking out all of line 8 after the semicolon, and by striking out the word "that" in line 8.

3. Amend H. B. No. 47, as printed, page 2, line 5, by striking out all of line 5 after the comma in said line 5 and by striking out the word "property" in line 6.

The bill was passed to a third reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 47 put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Wood.
Moore of Cooke.	Woodward.
Murphy.	

Absent.

Smith.	Witt.
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Absent—Excused.

Lewis.	Parnell.
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H. B. No. 47 was laid before the Senate, read third time and passed finally.

House Bill No. 51.

The Chair laid before the Senate, on second reading,

H. B. No. 51, A bill to be entitled "An Act creating and incorporating the Wells Independent School District in Lynn County, Texas."

The bill was read second time, and the Committee report was adopted.

Senator Bledsoe offered the following amendment, which was read and adopted:

Amend H. B. No. 51 by adding thereto the following section:

Section 14a. All taxes voted by the qualified voters in said Wells Common School District No. 25 in Lynn County, Texas, and now in force therein, are hereby validated

and continued in force in Wells Independent School District hereby created until such time as a majority of the qualified property tax paying voters in said district shall see proper to increase, diminish or abolish the same as provided under the General Statutes of this State.

The bill was passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bill to be read on three several days was suspended and H. B. No. 51 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Price.
Berkeley.	Pollard.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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H. B. No. 51 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Price.
Berkeley.	Pollard.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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House Bill No. 150.

The Chair laid before the Senate, on second reading.

H. B. No. 150, A bill to be entitled "An Act creating and incorporating the New Home Independent School District, in Lynn County, Texas."

The bill had already been read second time.

Senator Bledsoe offered the following amendment, which was read and adopted:

Amend H. B. No. 150 by adding thereto the following section:

Section 14a. All taxes heretofore voted by the qualified voters in said New Home Common School District No. 12 in Lynn County, Texas, and now in force therein, are hereby validated and continued in force in New Home Independent School District hereby created until such time as a majority of the qualified property tax paying voters in said district shall see proper to increase, diminish or abolish the same as provided under the general Statutes of this State.

The bill was passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 150 put on its third reading and final passage, by the following vote:

Yeas—19.

Bailey.	Pollard.
Berkeley.	Pollard.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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H. B. No. 150 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Bowers.
Berkeley.	Davis.
Bledsoe.	Fairchild.

Floyd.	Reid.
Hardin of Erath.	Russek.
Hardin of Kaufman	Smith.
Holbrook.	Strong.
Miller.	Stuart.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Murphy.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Price.	Woodward.
Real.	

Absent—Excused.

Lewis.	Parnell.
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Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 19, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 5, A bill to be entitled "An Act making an appropriation out of the State Treasury of the State's portion of the compensation to be paid by the State and the United States Government to owners of livestock destroyed to eradicate and prevent disease among livestock in this State."

With amendments.

House has granted the request of the Senate for a Free Conference Committee on S. B. No. 6 and the following committee is announced on part of the House: Rawlins, Poage, McFarlane, Kemble and Bedford.

The House has adopted the report of the Free Conference Committee on S. B. No. 6.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

S. B. No. 5—Amendments Concurred in.

Senator Bailey called up H. B. No. 5, with House amendments, and moved that the Senate concur in the House amendments.

The amendments were read.

The motion to concur was adopted, by the following vote:

Yeas—24.

Bailey.	Floyd.
Berkeley.	Hardin of Kaufman
Bledsoe.	Holbrook.
Bowers.	Moore of Hunt.
Davis.	Moore of Cooke.
Fairchild.	Murphy.

Parr.	Strong.
Pollard.	Stuart.
Price.	Triplett.
Real.	Ward.
Reid.	Wirtz.
Russek.	Wood.

Absent.

Hardin of Erath.	Witt.
Miller.	Woodward.
Smith.	

Absent—Excused.

Lewis.	Parnell.
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S. C. R. No. 26.

By Senator Holbrook:

Whereas, S. B. No. 113 finally passed the Senate and passed the House, with amendments, was signed by the Lieutenant Governor and Speaker of the House, and laid before the Governor for her signature, and

Whereas, The House amendments referred to were not considered by the Senate, and the author of the bill desires to have said bill returned to the Senate for the purpose of considering said amendments; now therefore be it

Resolved, That the Senate, with the House concurring, hereby request the Governor to return said bill to the Senate for the purpose of considering the bill as amended by the House.

The resolution was read and adopted.

House Bill No. 235.

The Chair laid before the Senate, on second reading,

H. B. No. 235, A bill to be entitled "An Act creating and incorporating Clauene Independent School District in Hockley County, Texas, etc."

The bill was read second time on a former date.

Senator Bledsoe offered the following amendments, severally, which were read and adopted.

1. Amend H. B. No. 235, line 26 of Section 2, by striking out the word "Clauene" and inserting the word "Ropes."

2. Amend H. B. No. 235, line 6 of Section 3, by inserting after the word "Clauene" the words "Independent School."

3. Amend H. B. No. 235, line 2, Section 15, by striking out the word "Clauene" and inserting in lieu thereof the word "Ropes."

4. Amend H. B. No. 235, in line 5 of the caption, by inserting after the

word "collect," "a tax"; and in line 6 after the word "bonds" insert the following, "and authorizing an election to care for the interest and sinking funds on such bonds."

5. Amend H. B. No. 235, line 1, Section 11, by inserting between the words "the" and "district" the words "Clauene Independent School" and by striking out the word "receive" in line 8 and inserting the words "paid over" in lieu thereof.

The bill was passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 235 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Price.
Berkeley.	Pollard.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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H. B. No. 235 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Price.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis.	Parnell.
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Senate Bill No. 113.

Senator Holbrook called up S. B. No. 113, with House amendments, and moved that the Senate do not concur in the House amendments, and request the appointment of a Free Conference Committee to adjust the differences.

The motion was adopted.

The Chair appointed the following as the committee, on the part of the Senate: Senators Holbrook, Bailey, Ward, Russek, Story.

S. C. R. No. 27.

By Senator Ctuart, et al.:

Whereas, The attention of members of the House of Representatives and the Senate of Texas has been called by many citizens of the State of Texas to the fact that for some reason unknown to them the American flag, the Stars and Stripes of these United States, no longer waves from the dome or from the front of the Capitol of the great State of Texas, and

Whereas, Attention has also been called to the fact that Old Glory no longer adorns or waves from the flag pole in front of the Governor's mansion of the State of Texas, and

Whereas, We recognize the great principle that the State of Texas is a part of and subservient to the Government of these United States, and that the great State of Texas stands for all of the high ideals of which the American flag is symbolic, and

Whereas, It is an old and established custom and a heritage of which all citizens of the great Lone Star State of Texas are justly proud that both the Stars and Stripes and the flag of the Lone Star shall wave from her public buildings and especially from that of the Capitol of our great State and from the grounds of the Governor's mansion; therefore be it

Resolved by the Senate, the House of Representatives concurring, That the Superintendent of Public Buildings and any others who may be charged with the duty of seeing that the American flag be unfurled and float to the breezes along with the Lone Star flag on both the Capitol and the grounds of the Governor's mansion of our State, be instructed and directed to see that the American flag is forthwith placed upon its proper flagstaff of both of these buildings.

The resolution was read and adopted.

House Bill No. 90.

Senator Ward called from the table, and the Chair laid before the Senate, on second reading,

H. B. No. 90, A bill to be entitled "An Act amending Article 5655 and Article 5658, Chapter 7, Title 86, Revised Civil Statutes of Texas, 1911, regarding instruments intended to operate as liens on personal property, and providing for the filing and registration thereof, and the effect of such instruments when not filed for registration, by adding thereto a provision in reference to the filing and registration of transfers of chattel mortgages, deeds of trust and other evidences of lien upon personal property."

Senator Ward withdrew the pending amendment, and offered the following amendment, which was read and adopted:

Amend H. B. No. 90, page 3, by adding to Section 2, the following:

Provided, however, that the failure of the transferee of any note or lien to have the records so noted shall not operate a release of the lien then in existence in any manner whatsoever to affect the validity of said lien or to operate so as to give the transferee of said note or lien any less rights than those held by the original payee in the note.

The bill was then passed to a third reading.

Simple Resolution No. 43.

By Senator Parr:

Resolved, that the calendar clerk, the assistant calendar clerk, and the enrolling clerk, each, be paid the sum of seven dollars and fifty cents per day, and that the porters' pay be raised from two dollars to two dollars and fifty cents per day.

Senator Fairchild offered the following amendment:

And resolved, by adding the words: All stenographers employed in the Senate to receive \$7.50 per day.

Senator Parr moved to table the amendment, which motion to table was adopted, by the following vote:

Yeas—19.

Bailey.
Berkeley.
Bledsoe.
Bowers.
Davis.
Floyd.

Hardin of Erath.
Hardin of Kaufman.
Moore of Hunt.
Moore of Cooke.
Parr.
Pollard.

Real.	Ward.
Russek.	Wirtz.
Stuart.	Wood.
Triplett.	

Nays—6.

Fairchild.	Reid.
Murphy.	Strong.
Price.	Woodward.

Present—Not Voting.

Holbrook.	Absent.
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Miller.	Witt.
Smith.	

Absent—Excused.

Lewis.	Parnell.
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Senator Fairchild moved to table the resolution, which motion to table was lost, by the following vote:

Yeas—8.

Bailey.	Hardin of Erath.
Bledsoe.	Murphy.
Davis.	Pollard.
Fairchild.	Strong.

Nays—16.

Berkeley.	Reid.
Bowers.	Russek.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Parr.	Wirtz.
Price.	Wood.
Real.	Woodward.

Present—Not Voting.

Floyd.	Moore of Cooke.
	Absent.

Miller.	Witt.
Smith.	

Absent—Excused.

Lewis.	Parnell.
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Senator Floyd offered the following amendment to the resolution:

Amend the resolution by adding the name of second assistant sergeant-at-arms.

Senator Bailey moved to refer the resolution and amendment to the Committee on Rules, which motion was adopted.

Adjourned.

On motion of Senator Wirtz, the Senate, at 4:30 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. Nos. 80, 216, 20, 249.

S. B. No. 223.

The following is a proposed amendment for S. B. No. 223, offered by Senator Moore of Cooke, and printed here by order of the Senate:

A BILL

To be Entitled

An Act to amend Sections 1, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 16 and 19 of Chapter 14, of the General Laws of the Thirty-sixth Legislature of Texas, enacted at its Third Called Session and approved June 12, 1920, relating to the regulation of rates charged by gas utilities companies in cities, towns and municipalities; repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The term "gas pipe line" or pipe line as used in this Act means and includes persons, corporations and companies, their lessees, trustees and receivers appointed by any court whatsoever, now or hereafter owning, managing, operating, leasing or controlling within this State any wells, pipe lines, plant, property, equipment, facility, franchise, license of permit for either one or more of the following kinds of business:

1. (a) Producing or obtaining, transporting, conveying, distributing or delivering natural gas to distributing companies or agencies, for public use or service for compensation;

(b) Or for sale or delivery of natural gas to any person or firm or corporation operating under franchise or a contract with any municipality or other legal subdivision of the State;

2. Owning or operating or managing a pipe line for the transportation or carriage of natural gas, whether for public hire or not, if any part of the right of way for said line has been acquired or may hereafter be acquired by the exercise of the right of eminent domain; or if

said line, or any part thereof is laid upon, over or under any public road or highway of this State, or the right of way of any railroad or other public utility; including also any natural gas pipe line authorized by any law to exercise the right of eminent domain.

3. The business producing or purchasing natural gas and transporting or causing the same to be transported by pipe or lines to or near to the limits of any municipality in which said gas is received, and distributed, or sold to the public by another public utility or by said municipality, in all cases where such business is in fact the only or practically the exclusive agency of supply of natural gas to such utility or municipality, is hereby declared to be a virtual monopoly and a business and calling affected with a public interest, and the said business and all property employed therein within this State are hereby subject to the provisions of this Act and to the jurisdiction and regulation of the commission as a gas pipe line.

Every gas pipe line as defined in this Act is hereby declared to be affected with a public interest and subject to the jurisdiction, control and regulation of the commission as provided in this Act, provided, that the rates and service of any gas utility plant, property, equipment or facilities owned or operated by a municipality shall not be subject to the jurisdiction, regulation or control of the commission.

Sec. 3. The Railroad Commission after due notice and upon full and fair hearing, shall have the power and it shall be its duty to fix and establish and enforce the adequate and reasonable price of gas and fair and reasonable rates of charges and regulations for transporting, producing, distributing, buying, selling and delivering gas by such pipe lines in this State; to establish fair and equitable rules and regulations for the full control and supervision of said gas pipe lines and all their holdings pertaining to the gas business in all their relations to the public as the commission may from time to time deem proper; to establish a fair and equitable price or rate at which such pipe line producing and transporting the gas shall sell same to the companies distributing or selling it; and to prescribe and enforce

rules and regulations for the government and control of such pipe lines in respect to their gas pipe lines and producing, receiving, transporting, and distributing facilities and to regulate and apportion the supply of gas between towns, cities and corporations, and when the supply of gas controlled by any gas pipe line shall be inadequate the commission shall have the power and it shall be its duty to prescribe fair and reasonable rules and regulations requiring such gas pipe lines to augment their supply of gas, when in the judgment of the commission it is practicable to do so; and it shall be the commission's duty to exercise such power, whether upon its own motion or upon petition by any person, corporation, municipal corporation, county or commissioner's precinct showing a substantial interest in the subject, or upon petition of the Attorney General, or of any county or district attorney in any county wherein such business or any part thereof may be carried on. All orders and agreements of any company or corporation, or any person or persons controlling such pipe lines establishing or prescribing prices, rates, rules and regulations and conditions of service, shall be subject to review, revision and regulation by the commission on hearing after notice as provided for herein to the person, firm or corporation, partnership, or joint stock association owning or controlling or operating the gas pipe line affected. In the event any rate or charge for gas or for service or for meter rental or any other purpose pertaining to the operation of said business shall be made or promulgated by any person, firm or corporation owning or operating any gas pipe line, or in the event of any inadequate supply of gas, or inadequate service in any respect, and complaint against same shall be filed by any person authorized by this Act to file such petition, and such complaint is sustained in whole or in part, all persons and customers of said gas pipe line shall have the right to reparation or reimbursement of all excess in charges so paid over and above the proper rate or charge as finally determined by the Railroad Commission from and after the date of the filing of such complaint.

Sec. 4. The commission may require of all persons or corporations operating, owning or controlling such gas pipe lines, reports duly verified under oath, of the total quantities of gas distributed by such pipe lines and of that held by them in storage, as also of their source of supply, the number of wells from which they draw their supply, the amount of pressure maintained, and the amount and character and description of the equipment employed, and such other matters pertaining to the business as the commission may deem pertinent. The commission shall have the authority and power to hear and determine complaints from interested persons, firms or corporations; to require attendance of witnesses at any hearing provided for in this Act, and to institute suit and issue such writs and process as may be necessary for the enforcement of its orders.

Sec. 5. No such pipe line public utility shall directly or indirectly charge, demand, collect or receive from any one a greater or less compensation for any service rendered than from another for a like and contemporaneous service; provided this shall not limit the right of the commission to prescribe different rates and regulations for the use of gas for manufacturing and similar purposes, and provided this shall not limit the right of the commission to prescribe rates and regulations for service from or to other or different places, as it may determine; nor shall any such pipe line discriminate in favor of or against any person, place or corporation, either in apportioning the supply of gas or in its charges therefor.

Sec. 6. Nothing in this Act shall restrict the rights of cities, towns and municipalities to control the use of their public streets and alleys; and nothing in this Act shall be construed as taking away from the cities, towns and municipalities of this State any of their existing powers to regulate the rates, service, rules, regulations and practices of gas public utilities operating in such cities, towns and municipalities, and no local distributing gas utility shall ever have the right to appeal to the Railroad Commission from any rate made by such municipality.

Sec. 8. The commission shall have power to employ and appoint from time to time, such experts, as-

sistants, accountants, engineers, clerks and other persons as it shall deem necessary to enable it at all times to inspect and audit all records or receipts, disbursements, vouchers, prices, pay rolls, time cards, books and official records, to inspect all property and records of the pipe lines subject to the provisions hereof, and to perform such other service or services as may be directed by the commission or under its authority. Such persons and employes of the commission shall be paid for the service rendered, such sums at such times and under such conditions as may be fixed and prescribed by the commission, and such salaries, wages and fees shall be paid out of the moneys and funds as in this Act directed. Provided, however, that the number of employes and appointees employed or appointed under this Act, and the sum or sums of money paid to them for their services, shall be subject to the approval of the Board of Control, and no employment or appointment hereunder, shall be valid without such approval.

Sec. 11. Except as in this section provided, every gas pipe line subject to the provisions of this Act, on or before the first day of January, 1926, and quarterly thereafter, shall file with the commission a statement, duly verified as true and correct by the president, treasurer or general manager, if a company or corporation, or by the owner or one of them, of an individual or co-partnership, showing the gross receipts of such utility for the quarter next preceding or for such portion of said quarterly period as such utility may have been conducting any business, and at such time shall pay into the State Treasury at Austin, Texas, a sum equal to one-fourth of one per cent of the gross income received from all business done by it within this State, during said quarter, to be designated as the "Gas Pipe Line Fund." The gross receipts tax charge herein required to be paid, when paid, shall be allowed as an operating expense.

Sec. 12. The salary and expense of the expert and of his assistants, if any, and the salaries, wages, fees and expenses of every other person employed or appointed by the commission under the provisions of this Act, and all other expenses, costs and charges, including witness fees and

mileage fees and mileage, incurred by or under authority of the commission or a commissioner, in administering and enforcing the provisions of this Act, or in exercising any power and authority hereunder, shall be paid from and out of the gas pipe line fund by the State Treasurer on warrant of the Comptroller of Public Accounts, on order or voucher approved by the commission or the chairman thereof. If the amount or total of such gross receipts charge collected shall not be sufficient, during any quarterly period, to pay such salaries, costs, charges, fees and expenses, then the deficit shall be paid by the State Treasurer out of the general revenue not otherwise appropriated. Until sufficient funds have accrued to said gas pipe line fund from payment of said gross receipt tax, said expenses shall be paid by the State Treasurer out of the general revenue not otherwise appropriated. Any surplus remaining in the gas pipe line fund, after paying all such salaries, costs, fees and charges after deducting such amount as may be contracted to be paid and incurred and such as may be reasonably estimated by the commission for its use, shall be paid over to the general revenue fund, at the end of such quarterly period. Provided the expenses authorized in this section shall never exceed in any one calendar year the sum of twenty thousand dollars.

The commission shall on December 1, 1925, and annually thereafter, make a sufficiently full and comprehensive report to the Governor, which shall be by him transmitted to the next succeeding session of the Legislature of the State, showing in due and sufficient detail:

1. The proceedings of said commission to such time with respect to the gas pipe line defined herein.

2. The receipts in the gas pipe line fund from all sources, and indicating the different sources.

3. The expenditures made under and in accordance with this Act, the nature of such expenditures, and which shall also include in addition to other items of expenditures, the names, titles, nature of employment, salaries of and payments made to all persons employed for any purpose under the terms of this Act, with statement of traveling and other ex-

penses incurred by each of said persons and approved by the commission.

Sec. 13. Every gas pipe line as defined in the Act shall have an office in one of the counties of this State in which its property or some part thereof is located and shall keep in the said office all books, accounts, papers, records, vouchers and receipts as shall be required by the commission. No books, accounts, papers, records, receipts, vouchers or other data required by the commission to be so kept shall be at any time removed from this State, except upon such conditions as may be prescribed by the commission.

Sec. 14. If any gas utility or other party at interest be dissatisfied with the decisions of any rate, classification, rule, charge, order, act or regulation adopted by the Commission, such dissatisfied utility or party may file a petition setting forth the particular cause or causes of objection to such decision, act, rate, rule, charge, classification, or order, or to either or all of them, in a court of competent jurisdiction in the county where the original controversy arose against said Commission and the party, utility or city complained of. Said action shall have precedence over all other causes on the docket of a different nature and shall be tried and determined as other civil causes in said court. Either party to said action may appeal to the appellate court having jurisdiction of said cause; and said appeal shall be at once returnable to said appellate court, at either of its terms; and said action so appealed shall have precedence in said appellate court of all causes of a different character therein pending; provided, that if the court be in session at the time such right of action accrues, the suit may be filed during such term and stand ready for trial after ten days' notice. In all trials under the foregoing article, the burden of proof shall rest upon the plaintiff, who must show by clear and satisfactory evidence that the rates, regulations, orders, classifications, acts or charges complained of are unreasonable and unjust to it or them.

Sec. 15. Any gas pipe line as herein defined which shall violate any provision of this Act or which shall fail to perform any duty herein imposed or which shall fail to comply with any valid order of the Commission when not stayed or suspended by order of court, shall be subject to a

penalty of not less than one hundred dollars nor more than one thousand dollars for each offense, such penalty to be recoverable at suit of the Attorney General of the State of Texas in the name of the State and for its use, each violation to constitute a separate offense, and each day that such failure continues shall constitute a separate offense. Such penalty together with reasonable attorney's fees may also be recoverable by and for the use of any person, corporation or association of persons against whom there shall have been unlawful discrimination as herein defined; such suit to be brought in the name of and for the use of the party aggrieved, and may be maintained in any court of proper jurisdiction, having due regard to the ordinary statutes of venue. For the wilful violation of the provisions hereof on the part of persons, firms, and corporations owning, operating or controlling gas pipe line it is hereby provided that the owners, officers, agents and employees of such gas pipe lines who may be guilty thereof shall be deemed guilty of a misdemeanor and each violation of such provisions shall be deemed a separate offense and upon conviction thereof of the party violating same shall be fined in a sum not less than fifty dollars nor more than one thousand dollars and may be further punished by confinement in the county jail for not less than ten days, nor more than six months.

Sec. 16. Whenever any person, firm or corporation owning, operating or controlling such gas pipe line coming under the provisions of this Act, shall violate any of the provisions of this Act or any of the rules or regulations of the Commission any person, corporation or association of persons against whom there shall have been unlawful discrimination, or the Commission shall, whenever in its judgment the public interests require it, apply to any court of this State having jurisdiction and venue thereof for a receivership of such concern guilty of such violation. Such receiver shall control and manage the property of such gas pipe line under the direction of the court as is now provided by law in receivership matters. The grounds for appointment of receiver provided for in this section shall be in addition to other grounds now provided under the existing law.

Sec. 19. The enacting clause.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 58, A bill to be entitled "An Act amending Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature, relative to the registration of motor vehicles, tractors, trailers, semi-trailers and motorcycles; making proper disposition of funds derived from registration fees of such vehicles for road purposes; prescribing the amount that shall go to the county road and bridge fund and the amount that shall go to the State Highway fund, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 75, A bill to be entitled "An Act amending Chapter 5 of the Third Called Session of the Thirty-eighth Legislature, relative to occupation taxes on sales of gasoline so as to increase the amount of said occupation tax now existing, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 332, A bill to be entitled "An Act to amend Article 3720 of Chapter 1 of Title 54 of the Revised Statutes of Texas of 1911, so as to provide how executions shall issue when a sole plaintiff or one of several plaintiffs shall die after judg-

ment, relating all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 331, A bill to be entitled "An Act to fix and determine the fees to be charged by the clerks in the district courts in counties in this State having a population of less than 37,000, according to the United States census of 1920 for entering and recording judgments forclosing liens on real estate in delinquent tax suits, repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred,

S. B. No. 338, A bill to be entitled "An Act amending Article 3785 of the Revised Civil Statutes of 1911; providing that the homestead of the family, all household and kitchen furniture, any lot or lots in a cemetery held for the purpose of sepulchre, all implements of husbandry, all tools, apparatus and books belonging to any trade or profession, the family library, and all family portraits and pictures, five milk cows and their calves, two yoke of work oxen, with necessary yokes and chains, two horses and one wagon, one carriage or buggy other than a motor vehicle or an electric vehicle, one gun, twenty hogs, twenty head of sheep, all saddles, bridles and harness necessary for the use of the family, all provisions and forage on hand for home consumption, and all current wages for personal services shall

be reserved to every family exempt from attachment or execution and every other species of forced sale from the payment of debts, except as hereinafter provided, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred,

H. B. No. 89, A bill to be entitled "An Act amending Article 3609, Chapter 29, Title 52, Revised Civil Statutes of Texas, 1911, relating to the management, control and disposition of community property by the wife of a deceased or insane husband, and repealing Article 3611, Chapter 29, Title 52, Revised Civil Statutes of Texas, 1911."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 322, A bill to be entitled "An Act to amend Section 1, Chapter 56, of the Acts of 1915, Acts of the Thirty-fourth Legislature, exempting heads of departments and executives from the operation of Chapter 56 of the Thirty-fourth Legislature and defining "Heads of Departments" and "Executives" as used in said Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 19, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 337, A bill to be entitled "An Act to amend Chapter 155 of the

Acts of the Thirty-fourth Legislature as amended by Chapter 23 of the Acts of the Thirty-fifth Legislature and to amend Subdivisions 9, 75 and 80 of Article 30, Title 5 of the Revised Civil Statutes of the State of Texas, and to amend Chapter 104 of the laws passed by the Thirty-eighth Legislature approved March 21, 1923, and to reorganize the Seventy-fifth Judicial District of Texas and remove therefrom the county of Montgomery; and to reorganize the Ninth Judicial District of Texas and remove therefrom the counties of Hardin and Liberty, and to add thereto the county of Waller, and to remove said county of Waller from the Eightieth Judicial District of the State of Texas, and fixing the time of holding court in said Seventy-fifth, Ninth and Eightieth Judicial Districts, and providing for the continuance in office of the present district judges and district attorneys within certain limits, and validating process, bonds, recognizance and decrees issued and rendered under existing arrangements; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PRICE, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 19, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Insurance, to whom was referred S. B. No. 282
"An Act regulating the making of rates of premiums by fire insurance companies and companies writing workmen's compensation; providing that before the issuing of any policies by such companies they shall submit their rates of premiums to the Commissioner of Insurance and that said rates shall not take effect until approved by him; providing said commissioner may approve a system of schedule and experience or merit rating in workmen's compensation policies; requiring each company to uniformly apply the same rates to the same classification of risks but authorizing the approval of different competitive rates for

different companies and the same classifications, having due regard to the adequacy of the rates and the solvency of such company and authorizing the said commissioner to require all material facts under oath, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

RUSSEK, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 19, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on Insurance, to whom was referred

S. B. No. 282.

Have had the same under consideration, and beg leave to report it back with the recommendation that it do pass.

WARD.
FLOYD.

THIRTIETH DAY.

Senate Chamber,
Austin, Texas.

Friday, February 20, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent.

Stuart.

Absent—Excused.

Lewis.